

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KIMMEL, CARTER, ROMAN, PELTZ,
& O'NEILL, P.A., on behalf of itself and
all others similarly situated,

Plaintiff,

V.

COSTCO WHOLESALE CORPORATION and the COSTCO EMPLOYEE BENEFITS PROGRAM,

Defendants.

C19-741 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

BENCH TRIAL DATE	October 13, 2020
Length of Trial	2 days
Discovery on class certification issues completed by	September 23, 2019
Any motions related to class certification must be filed by	November 21, 2019
Deadline for joining additional parties	January 16, 2020
Any motions for leave to amend pleadings filed by	January 16, 2020
Disclosure of expert testimony under FRCP 26(a)(2)	February 4, 2020

1	All motions related to discovery must be filed by	February 20, 2020
2	All remaining discovery completed by	March 19, 2020
3	All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	May 14, 2020
5	All motions related to expert witnesses (<i>e.g.</i> , Daubert motion) must be filed by and noted on the motion calendar no later than the third Friday thereafter (see LCR 7(d))	May 21, 2020
7	All motions <i>in limine</i> must be filed by and noted for the third Friday thereafter; responses shall be due on the noting date; no reply shall be filed unless requested by the Court	August 27, 2020
10	Agreed Pretrial Order due ¹	September 25, 2020
11	Trial briefs, proposed voir dire questions, and proposed jury instructions due	September 25, 2020
12	Pretrial conference to be held at 1:30 p.m. on	October 2, 2020
13	These dates are set at the direction of the Court after reviewing the joint status	
14	report and discovery plan submitted by the parties. All other dates are specified in the	
15	Local Civil Rules. These are firm dates that can be changed only by order of the Court,	
16	not by agreement of counsel or the parties. The Court will alter these dates only upon	
17	good cause shown: failure to complete discovery within the time allowed is not	
18	recognized as good cause.	
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21 ¹ The Agreed Pretrial Order shall be filed in CM/ECF and shall also be attached as a
22 Word compatible file to an e-mail sent to the following address:
ZillyOrders@wawd.uscourts.gov.

1 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
2 possible. Counsel are further directed to cooperate in preparing the final pretrial order in
3 the format required by LCR 16.1, except as ordered below.

4 Notwithstanding Local Civil Rule 16.1, the exhibit list shall be prepared in table
5 format with the following columns: "Exhibit Number," "Description," "Admissibility
6 Stipulated," "Authenticity Stipulated/Admissibility Disputed," "Authenticity Disputed,"
7 and "Admitted." The latter column is for the Clerk's convenience and shall remain
8 blank, but the parties shall indicate the status of an exhibit's authenticity and
9 admissibility by placing an "X" in the appropriate column. Duplicate documents shall
10 not be listed twice: once a party has identified an exhibit in the pretrial order, any party
11 may use it.

12 The original and one copy of the trial exhibits are to be delivered to the courtroom
13 at a time coordinated with Gail Glass, who can be reached at 206-370-8522, no later than
14 the Friday before trial. Each set of exhibits shall be submitted in a three-ring binder with
15 appropriately numbered tabs. Each exhibit shall be clearly marked. Plaintiff's exhibits
16 shall be numbered consecutively beginning with 1; defendant's exhibits shall be
17 numbered consecutively beginning with the next multiple of 100 after plaintiff's last
18 exhibit; any other party's exhibits shall be numbered consecutively beginning with the
19 next multiple of 100 after defendant's last exhibit. For example, if plaintiff's last exhibit
20 is numbered 159, then defendant's exhibits shall begin with the number 200; if
21 defendant's last exhibit number is 321, then any other party's exhibits shall begin with
22 the number 400.

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1 Counsel must be prepared to begin trial on the date scheduled, but it should be
2 understood that the trial may have to await the completion of other cases.

3 Should this case settle, counsel shall notify Karen Dews at 206-370-8830 as soon
4 as possible.

The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 20th day of August, 2019.

William M. McCool

Clerk

s/Karen Dews

Deputy Clerk